

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 6447

BILL NUMBER: HB 1532

DATE PREPARED: Dec 5, 2000

BILL AMENDED:

SUBJECT: Probation for Misdemeanors.

FISCAL ANALYST: Mark Goodpaster

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FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: Local

Summary of Legislation: This bill provides that the maximum term of probation for any class of misdemeanor is one year, notwithstanding the maximum term of imprisonment for the misdemeanor. It also provides that a combined term of imprisonment and probation for any class of misdemeanor may not exceed one year.

Effective Date: July 1, 2001.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: This bill would extend the amount of time that offenders could be on probation if they were sentenced for either Class A, B, or C misdemeanors.

Under current law, the amount of time that an offender may be incarcerated for Class A, B, and C misdemeanors is limited to 365 days, 180 days, and 60 days, respectively. Under current case law, the sentencing court may suspend all or a portion of the sentence and require the offender to remain on probation for the suspended time.

However, some courts reportedly suspend all or a portion of a sentence and require the offender to remain on probation for up to one year whether or not the time on probation exceeds the statutory period for incarceration. This bill will make the statute consistent with this practice. Consequently, this bill could extend the amount of time that offenders could be on probation if other courts sentence misdemeanants in the same way. If offenders spend more time on probation because of this bill, probation caseloads may increase. As of December 31, 1999, there were 67,805 misdemeanants on probation in Indiana.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Probation Departments.

Information Sources: 1999 Indiana Probation Report.